



**WOODSTOCK PLANNING & ZONING COMMISSION  
REGULAR MONTHLY MEETING  
THURSDAY, JUNE 19, 2014 at 7:30 P.M.  
WOODSTOCK TOWN HALL, MEETING ROOM 1**

**MINUTES**

**I. MONTHLY MEETING AT 7:30 PM**

- a. **Call to Order** – Meeting was called to order by Chair Jeff Gordon at 7:35 P.M.
- b. **Roll Call** – Dave Fortin, Travis Serrine, Gail Dickinson, Jeff Gordon, Delia Fey, Syd Blodgett, Doug Porter, Dexter Young, Joseph Adiletta (7:40)

**Absent:** Lynne White, Fred Rich, Dorothy Durst, John Anastasi,

**II. CITIZENS' COMMENTS – None.**

- III. CHAIR'S REPORT** – Chair Gordon thanked the Commissioners for their attendance at each meeting. He also thanked Delia Fey, Tina Lajoie for their continued hard work behind the scenes and at the meetings. Chair Gordon explains that Patty Lacasse is no longer employed as the recording secretary. Ms. Lajoie would be doing the minutes from the audio recording until a new recording secretary is hired.

It is noted that Woodstock has won the “Best Town for Teenagers” for 2014 out of all 169 towns in CT. Joseph Adiletta is present at 7:40

**IV. DESIGNATION OF ALTERNATES – Doug Porter and Travis Serrine are seated.**

**V. MINUTES**

- a. Regular Meeting Minutes – May 15, 2014

**MOTION BY DEXTER YOUNG, SECONDED BY JOSEPH ADILETTA TO APPROVE REGULAR MEETING MINUTES OF MAY 15, 2014. MOTION CARRIED UNANIMOUSLY.**

**VI. NON-RESIDENTIAL ZONING PERMITS**

- a. **Linemaster Switch, 144 Bald Hill Rd – 9' x 32' addition (walk-in freezer off kitchen)**

Delia Fey describes the application. She doesn't believe this is a modification of the special permit because this does not change the use and is directly related to the use of the new building and only requires a zoning permit. Tim Carlone is present to answer any questions. He states that the design of the building has not changed, just bumping out 9 feet, away from the road. The building official and fire marshal have further review on this.

**MOTION BY JOSEPH ADILETTA TO APPROVE THE NON-RESIDENTIAL ZONING PERMIT AS PRESENTED, SECONDED BY DEXTER YOUNG. MOTION CARRIED UNANIMOUSLY.**

- b. **Dr. Baik, 602 Route 169 – Change of business to doctor's office from Therapeutic Enterprises**

Delia Fey describes the application. The previous business was also a health related therapy office so she believes this is a similar use, just a new business. The business will consist of one doctor and one nurse, small business, probably less flow of people than the previous business had. Dr. Baik also states that there will more than likely be one to two patients on the premises at a time. **MOTION BY DAVE FORTIN TO APPROVE THE NON-RESIDENTIAL ZONING PERMIT AS PRESENTED, SECONDED BY GAIL DICKINSON. MOTION CARRIED UNANIMOUSLY.**

- c. **Faire Share Consignments, 290 Rte 169 – Change of business from 'Rusty Finds'**

Delia Fey states that this is also a change of business. Previous business, Rusty Finds, was selling second-hand goods and Faire Share sells clothing and consignments, similar use, new business. Applicant, Katherine Collin, is present to answer any questions. Sign permits have been submitted and Delia is waiting for this application to be approved first before the sign permit is processed. New signs will be the same size. **MOTION BY GAIL DICKINSON TO APPROVE THE NON-RESIDENTIAL ZONING PERMIT AS PRESENTED, SECONDED BY TRAVIS SERRINE. MOTION CARRIED UNANIMOUSLY.**

**d. Roots Down, LLC, 18 Rte 171 – Addition of pergola over portion of patio.**

Doug Porter has recused himself. Delia Fey explains that the restaurant special permit was approved last year and this addition of the pergola will be over the already existing outdoor dining patio area. It will have sonotube footings on the ground. Adam Trifone, applicant is present to answer any questions. **MOTION BY JOSEPH ADILETTA TO APPROVE THE NON-RESIDENTIAL ZONING PERMIT AS PRESENTED, SECONDED BY DEXTER YOUNG.** Dave Fortin asks if this patio was already approved to begin with and Delia responds that this pergola is considered an additional structure because the footings are going just beyond the patio. As confirmed, this use was already approved. **MOTION CARRIED UNANIMOUSLY.**

**VII. NEW BUSINESS**

**a. Student Housing renewal –Woodstock Academy, 599 Route 169**

Delia Fey states that a previous student housing permit was granted and this is just a renewal of the same use. Ms. Fey has inspected the property and found that nothing has changed. Chair Gordon comments that last year when this same renewal came up, there were some people raising a concern about noise. It is confirmed that Ms. Fey's office has not received any complaints from the public regarding noise. The fire marshal did an inspection last August. A new fire marshal inspection will be done in August, as required. Joseph Campbell, Chief Financial Officer, is present to answer questions. He states that the fire marshal is scheduled to complete his inspection on August 15, 2014. Checklist indicates that the building official has completed a report. Mr. Campbell states that this is the same form that was submitted for last year's renewal and the BO was not contacted this time around. Mr. Porter states that there has been no work done and therefore his inspection should not be required. The application will be amended to remove this information. Chair Gordon goes through the requirements for the renewal. No public hearing will be required and therefore the abutters will not need to be notified. It was confirmed that the payment was made to the town.

**MOTION BY DEXTER YOUNG TO APPROVE THE STUDENT HOUSING RENEWAL APPLICATION FOR THE PROPERTY AT 599 RT 169, SECONDED BY DAVE FORTIN. MOTION CARRIED UNANIMOUSLY.**

**VIII. ZEO REPORT**

**a. Report on Zoning Enforcement – June 2014 –**

- **4 Perrin Road** – A date of May 30<sup>th</sup> was set with the owner to have the property cleaned up by. This has been ongoing over the last year. He did clean up some area and has been in the hospital recently so she has not been able to do any site walks. She states that he has been working with her, more so than in the past.
- **80 Bungay Hill Road** – Attorney for the owner has replied to NOV stating that they had stopped the tree trimming at the end of the runway. She believes the debris that is dumped there are logs, stumps, boulders, rocks, gravel. She didn't see tree trimmings. The attorney has recommended to his client to stop dumping things there. If PZC would like Ms. Fey to pursue this action, she will. Owner did not respond, only attorney. The expansion of the runway is getting very close to the road and is the major problem, and then the dumping. PZC is satisfied with ZEO's action, property owner is put on notice. PZC would like Ms. Fey to keep watching and not continue with further action at this point.
- **87 Barlow Cemetery** – Inspection done. Continuing to make progress. She will follow-up in July.

**IX. CITIZEN'S COMMENTS – None.**

**X. BUDGET REVIEW AND BILLS**

- a. Bills – \$44 Chase Graphics bill for the POCD map which will come out of the POCD account.
- b. Budget Review – No questions.

**XI. ZONING REGULATIONS**

- a. Lake Districts
  - i. Proposed Zone Change
  - ii. Text Amendments

A memo was provided to Commissioners dated May 11, 2014 which describes the problem being addressed and possible solutions. Chair Gordon and Delia Fey have discussed what areas in the regulations that might need to be amended. It has been brought to their attention that an unintended problem with the zoning regulations has been noted. For years the prior zoning regulations defined front setback as the line separating the lot from a public street right-of-way and the ZEO's, past and present, had been enforcing 20 feet for many years on private roads. When the zoning regulations were amended, it was not their intention to change the front setbacks and they remained at 75 feet. The manner in which it is now written, the front setback is applying to the three lake tax

districts at 75 feet. It has created some issues and come up on the ZBA radar with an increase in applications. The proposed wording was included in the packet for Commission's review. Tax districts are not zoning districts and a solution would be to create a lake district zone showing these boundaries on the zoning map and allow for their own specific setbacks. Change would include defining lake districts, These tax districts have their own deeds and covenants that were provided in the Commission's packets and they can be more restrictive. Chair Gordon contacted all three district boards. A ten (10) foot side setback, rear (20) twenty foot is being proposed. Private roads in subdivisions do not apply to this. This proposal is for Lake Bunggee, Quasset and Witches Woods as they already have their boundaries defined. There is discussion on creating a different minimum lot size for this zone. It was the decision of the Commission to only adjust the setbacks and allow the remainder of the community district criteria to apply. Minimum lot size will remain at 2.5 acres. Chair Gordon gives the public an opportunity to weigh in.

Keith Pezzetti, board member from Witches Woods Lake District, stated that the lake was developed back in the 1970's and most of the lots that were carved out are about 80 feet in width by 200 feet. The setbacks as shown in their covenants are 25 feet from the high water mark, 30 feet from the street line and 10 feet from side lines. These are the setbacks he recommends for the town. It is stated that their concern is more that the buildings being constructed meet the building code and are being built by licensed contractors and they may not pursue should someone not meet the 30 foot front yard setback, for instance.

Kevin Bernier, President of the Quasset Lake District, is in agreement with what is being proposed. The eastern sides of the lake do have the very tiny lots and the western side of the lake was later developed and the lots are deeper and can meet the current setbacks on all sides. They can support even less than a 20 foot setback. Their bylaws do not specify and they solely rely on the Town's regulations. 10 feet for sideline is recommended.

Dr. Baik, Lake Bunggee resident, comments on when her home was being constructed, the tax district was stringent about the setbacks.

There was discussion on what is done in other lake districts in and out of the state of CT.

**MOTION BY DAVE FORTIN TO CREATE LAKE DISTRICTS AS SUGGESTED IN THE MEMO CREATED BY DR. JEFF GORDON AND DELIA FEY DATED JUNE 11, 2014 WITH THE CHANGES THAT WERE NOTED ON PAGE 9, MINIMUM LOT SIZE BE 2.5 ACRES, THE CONTINUOUS BUILDING AREA AT 1 ACRE, FRONTAGE ON A PUBLIC STREET BE 100 FEET. FRIENDLY AMENDMENT BY DR. JEFF GORDON, TO TAKE THIS ITEM TO A PUBLIC HEARING ON AUGUST 21, 2014, THE PROPOSED TEXT AMENDMENT, WITH THE CHANGES SO NOTED. SECONDED BY TRAVIS SIRRINE. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY GAIL DICKINSON TO TAKE THE PROPOSED ZONE CHANGE TO CREATE THE LAKE DISTRICT ZONES OF THE CURRENT LAKE TAX DISTRICTS TO A PUBLIC HEARING ON AUGUST 21, 2014. SECONDED BY DAVE FORTIN. THERE IS A DISCUSSION ON WHICH OPTION TO USE. OPTION 2 IS RECOMMENDED BY MS. FEY. MOTION CARRIED UNANIMOUSLY.**

**MOTION BY DOUG PORTER TO AUTHORIZE DELIA FEY TO CONTACT AND WORK WITH NECCOG TO UPDATE THE ZONING MAP TO DELINEATE THE THREE LAKE DISTRICTS. SECONDED BY JOSEPH ADILETTA. MOTION CARRIED UNANIMOUSLY.**

Chair Gordon explains the timeline which includes a 15-day appeal period after the legal advertisement is posted.

b. Earth & Gravel – Article VI, C.2 Existing Operations – proposed text amendment

There was a brief discussion on proposed wording.

**MOTION BY GAIL DICKINSON TO SEND THIS PROPOSED TEXT AMENDMENT TO PUBLIC HEARING ON AUGUST 21, 2014, SECONDED BY DEXTER YOUNG. MOTION CARRIED UNANIMOUSLY.**

c. In-law apartments – discussion. At the June 5<sup>th</sup> subcommittee meeting, there was some discussion and this is a follow-up. Dave Fortin had raised this problem and provides the Commission with a page of information for review. The minimum lot size has changed through the years making some previously conforming lots into non-conforming. He suggests that amending the regulations to allow people who have lots created after zoning that are at least 1 ¼ acres in size be allowed to have an accessory apartment, provided they meet all the other parts of the regulations. Delia Fey comments that the language under the subdivision portion should also be amended, which says you can build an accessory apartment only in subdivisions after 2005 greater than 1 acre. That would be a conflict with the zoning regulations. There is discussion on how to remove any conflicts.

**MOTION BY DOUG PORTER, SECONDED BY DEXTER YOUNG TO SEND TO PUBLIC HEARING THE REQUEST FOR AMENDMENT TO REDUCE THE LOT SIZE TO 1 ¼ ACRES OR MORE FOR ACCESSORY APARTMENTS – Discussion. WITHDRAWAL OF MOTION.**

**MOTION BY DAVE FORTIN, SECONDED BY DOUG PORTER TO AUTHORIZE DELIA FEY TO COME BACK TO THE COMMISSION WITH THE PROPOSED WORDING FOR TEXT AMENDMENT FOR ACCESSORY APARTMENTS AT JULY 17<sup>TH</sup> MEETING. MOTION CARRIED UNANIMOUSLY.**

**XII. CORRESPONDENCE**

**XIII. MINUTES OF OTHER BOARDS OF COMMISSION**

**XIV. OTHER**

Memo issued on June 19<sup>th</sup> from Delia Fey. Ms. Fey is finishing the POCD draft and there were a few topics on the strategic plan that she was directed to put in, one being “Adult Entertainment and Uses” and Fey isn’t sure the Commission wants to include this. This item is on the strategic plan but not necessary to include at this time. Delia Fey recommends a moratorium which is adopted as a temporary zoning text amendment and during that time a land use study would be completed. It is the general consensus to not include the “Adult Entertainment and Uses” or the “Violation Fine Ordinance” in the POCD. Ms. Fey consulted with Highway Foreman, John Navarro about traffic concerns and he explained that if you identify a traffic problem, then the town has the responsibility to do something about it which creates potential liability if there is no money to fix the problem. The general discussion of traffic concerns can be discussed without any specificity. Sprinkler systems should not be included along with the other items Ms. Fey mentioned.

**XV. ADJOURNMENT**

**MOTION MADE BY GAIL DICKINSON, SECONDED BY JOSEPH ADILETTA TO ADJOURN THE MEETING AT 9:56 P.M. MOTION CARRIED UNANIMOUSLY.**

Respectfully Submitted,

Tina M. Lajoie, PZC Clerk

**(It is noted that Ms. Lajoie was not in attendance and completed these minutes based on the recording only.)**

**DISCLAIMER:**

***These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month’s meeting minutes for approvals and/or amendments to these minutes. The audio recording is available by contacting the Town Planner/ZEO’s office at 860-963-2128 (x332).***